

# **AURORA CITY COUNCIL MEETING AGENDA January 7, 2016**

## **PRE-COUNCIL WORKSHOP**

### **7:00P.M.**

The Aurora City Council will convene for a Pre-Council Workshop on Thursday, January 7, 2016 at 7:00p.m. This Workshop will be held at the Aurora City Hall located at 303 Derting Road, Aurora, Texas

- Review of substandard building ordinance
- Review of appointees to boards/commissions/committees

## **REGULAR SESSION**

### **7:30P.M.**

The Aurora City Council will meet in Regular Session, on Thursday, January 7, 2016 at 7:30p.m. The Regular Session will be held at the Aurora City Hall located at 303 Derting Road, Aurora, Texas

#### **SECTION 1: PROCEDURAL ACTIONS**

- 1.1. CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT
- 1.2. INVOCATION AND PLEDGE OF ALLEGIANCE

#### **SECTION 2: REPORTS/ANNOUNCEMENTS**

Pursuant to the Open Meeting Laws of the State of Texas, the Mayor, Council Members and City Staff may from time to time offer brief reports on a variety of topics of interest to the public.

- 2.1. Presentations by the City Administrator and Staff
- 2.2. Special Presentations, Introductions, etc.
- 2.3. Announcements and Presentations by the Mayor, and/or City Council Members
- 2.4. Presentations and/or Communications from Boards, Commission and/or Committees

#### **SECTION 3: CONSENT AGENDA**

Consent Agenda Items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn upon the Consent Agenda by the Mayor, a Council Member, or the City Administrator and acted upon separately.

- 3.1. Approving both the Minutes and Financial Statement

#### **SECTION 4: CITIZENS PRESENTATION**

This time is set aside for any person having business before the Council, who is not scheduled on the agenda to speak to the Council. Please submit a complete Speaker's Request Form to the City Staff prior to the meeting start time. All comments must be directed toward the presiding officer rather than an individual council member, or member of the city staff. Speakers are limited to a speaking time of THREE (3) Minutes. Each speaker must limit their comments to the subject matter listed on the Speaker's Request Form and must refrain from personal attacks toward any individual.

***COUNCIL IS PROHIBITED BY LAW TO COMMENT ON ISSUES BROUGHT TO THEIR ATTENTION DURING THE CITIZENS' PARTICIPATION.***

Council may direct the City Staff to resolve the request, or direct the matter to be placed on a future agenda for deliberation (as defined by Chapter 551 of the Texas Local Government Code.) If you have a subject that may require council action you may inform the city staff, in writing, to be placed on a future agenda, at the discretion of the Mayor.

**SECTION 5: ORDINANCES/RESOLUTIONS**

**5.1. Ordinance Amendment - O-16.0107 Substandard Structures and Building Board**

**Consider and take action to Amend Ordinance 04.0902S**

AN ORDINANCE OF THE CITY OF AURORA, TEXAS, ADOPTING REGULATIONS APPLICABLE TO SUBSTANDARD AND DANGEROUS BUILDINGS; PROVIDING FOR THE REPAIR, DEMOLITION, REMOVAL, SECURING, AND VACATION OF DANGEROUS AND SUBSTANDARD BUILDINGS; PROVIDING FOR A CIVIL PENALTY; CREATING A BUILDING BOARD OF APPEALS; PROVIDING THAT THIS ORDINANCE SHALL NOT LIMIT THE AUTHORITY OF THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A CRIMINAL PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

**Penalty Clauses**

**SECTION XIII. CIVIL PENALTY**

- (1) Civil Penalty Authorized. In addition to any other enforcement authority provided for by law, the Board may, by order, at an administrative hearing assess a civil penalty against a property owner as provided for herein for failure to comply with an order issued by the Board pursuant to Section VII of this ordinance.
- (2) Showing Required. The civil penalty may be assessed if it is shown at the administrative hearing that:
  - (a) the property owner was notified of the contents of the order issued pursuant to Section VII of this ordinance; and
  - (b) the property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.
- (3) Amount of Penalty. The civil penalty may be assessed in an amount not to exceed \$1000.00 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed \$10.00 a day for each violation.
- (4) Notice of Administrative Hearing. Not less than ten (10) days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail/return receipt requested. The notice shall contain:
  - (a) a copy of the order issued by the Board to Section VII of this ordinance;
  - (b) a statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;
  - (c) a statement that at the administrative hearing the Board may assess a civil penalty not to exceed \$1000.00 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed \$10.00 a day for each violation; and

- (d) notice of the time and place of the hearing.
- (5) Copy of Order Filed with District Clerk. After the civil penalty is assessed, the City secretary shall file with the district clerk of the county in which the property is located, a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.
- (6) Enforcement. The civil penalty may be enforced by the City in a suit brought by the City in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this Section is final and binding and constitutes prima facie evidence of the penalty in any suit.

#### **SECTION XX. CRIMINAL VIOLATION**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense, except that, a violation of this ordinance concerning the dumping of refuse may be fined not more than Four Thousand Dollars (\$4,000.00) for each offense. Each day that a violation is permitted to exist under this ordinance shall constitute a separate offense.

#### **SECTION 6: APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 6.1. Appointment to Historical Preservation Commission - Clay Marshall
- 6.2. Appointments to Building Board

#### **SECTION 7: CONSIDER ADJOURNMENT**

---

I, the undersigned authority, do hereby certify that the above notice of the meeting of the governing body of the City of Aurora is a true and correct copy of said notice and that I posted this notice on the entrance to the Aurora City Hall on Monday, January 4, 2016 at 4:03 p.m., a place which is convenient and readily accessible to the general public at all times. This notice remained posted for 72-consecutive hours before the scheduled time of said meeting.

---

Dr. Toni Wheeler, PhD, MPA, PMP  
City Administrator/Secretary

Pursuant to Section 551.071 of the Texas Local Government Code, the council may convene in executive session to receive advice from the city attorney on any matter posted on the agenda.

The City of Aurora does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. If you have a request for services that will make this program accessible to you please contact City Administrator, Dr. Toni Wheeler at 817.636.2783, at least 36 hours before the scheduled meeting time.

The Aurora City Council routinely meets in Regular Session on the first Thursday of each month at 7:30p.m., with a Pre-Council Workshop at 7:00p.m. Any persons desiring an item be placed on the agenda for consideration should contact City Administrator, Dr. Toni Wheeler, at 817.636.2783, or via email at [cityofaurora@hotmail.com](mailto:cityofaurora@hotmail.com) or [cityadministrator@auroratexas.gov](mailto:cityadministrator@auroratexas.gov), no later than 72 hours before the scheduled meeting time. Any contact made after said time will result in matter being placed on a future agenda. The Mayor is the authority to determine what items shall be placed on the agenda.

ATTEST

---

Terry Solomon, Mayor